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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

DONNIE WAYNE SENSABAUGH,) Civil Action No. 7:10-cv-00482
Plaintiff,)
)
v.) ORDER
)
CHARLES I. POFF, et al.,) By: Hon. James C. Turk
Defendants.) Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that plaintiff is **GRANTED** leave to proceed in forma pauperis; the complaint is **DISMISSED** **without prejudice as frivolous**, pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(i), 1915A(b)(1); plaintiff's motion to appoint counsel is **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 1st day of November, 2010.

James C. Turk
Senior United States District Judge